

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID J. CATANZARO,	:	Civil Case No. 3:22-CV-01754-
	:	JFS-DFB
Plaintiffs	:	(Judge Joseph F. Saporito Jr.)
	:	(Referred to Judge Phillip J.
v.	:	Caraballo)
	:	
LYKART TECHNOLOGIES LLC,	:	
ET AL.,	:	
	:	
Defendants.	:	
	:	

**MOVING DEFENDANTS' BRIEF IN SUPPORT OF
MOTION FOR COORDINATED RULE 12 BRIEFING**

On March 17, 2025, the Court permitted the plaintiff to file a Fifth Amended Complaint in this action. Docket No. 67. Defendants Apple Inc., Google LLC, YouTube LLC, Microsoft Corporation, Inc., Mozilla Corporation, and Poshmark, Inc. (collectively "Moving Defendants") each intend to file a Rule 12 response to the Fifth Amended Complaint. Moving Defendants believe that their grounds for seeking dismissal will substantially overlap. Moving Defendants accordingly endeavor to coordinate regarding their Rule 12 responses, in order to submit a single coordinated set of papers to the Court.

A joint Rule 12 response on behalf of the Moving Defendants will conserve substantial judicial and party resources. Without a coordinated briefing schedule, the Moving Defendants must file, and the Court must consider, five overlapping

briefs of up to 15 pages each, for a total of 75 pages across the five Moving Defendant groups. The Moving Defendants submit that all parties and the Court will benefit instead from consolidated briefing as the Moving Defendants propose here.

Moving Defendants accordingly respectfully request the Court grant this motion to permit a joint Rule 12 response from all Moving Defendants, and accordingly modify page limits for briefing a joint Rule 12 response as follows:

- Up to 40 pages for Defendants’ joint opening brief;
- Up to 40 pages for Plaintiff’s joint responsive brief;
- Up to 20 pages for Defendants’ joint reply brief, in addition to five additional pages per defendant to address any defendant-specific issues raised in Plaintiff’s response brief.

Date: May 6, 2025

Respectfully submitted,

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